

**METROPOLITAN NASHVILLE-DAVIDSON COUNTY
TRANSPORTATION LICENSING COMMISSION**

Minutes of

October 26, 2004

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (the "Commission") met in regular session on this date at the Metropolitan Nashville General Sessions Judicial Complex in Metro Center. The Commissioners present were Chair Cynthia Odle, Vice-Chair Sammye Woods, and Commissioners Ray Dayal, Gladys Lozada, and Holly Sharp (5). Also attending were Jason Bergeron from Metro Legal, Commission staff members Walter Lawhorn and Lisa Steelman, and Brian McQuiston, Director-Executive Secretary to the Commission.

Chair Cynthia Odle called the meeting to order and led the Pledge of Allegiance.

The minutes of the July 27, 2004 meeting were unanimously approved.

ELECTION OF OFFICERS

Chair Cynthia Odle stated that all Commissioners whose terms ended in October had agreed to be reappointed for an additional term. She reminded the Commissioners that election of Commission officers is required at the October meeting in even-numbered years, and asked for nominations. After some discussion, **Commissioner Ray Dayal** moved to re-elect Cynthia Odle as Chair, and Sammye Woods as Vice Chair. **Commissioner Holly Sharp** seconded, and the motion was unanimously approved.

INFORMATION UPDATES

There were no further business items on the agenda. Director Brian McQuiston presented information to update the Commissioners on the status of amendments to ordinances proposed by the Commission and on the annual taxi driver permitting process.

Update on Amendment to Wrecker Ordinance (Rates and License Fees): Director McQuiston informed the Commission that the amendment to Chapter 6.80 of the Metro Code of Laws, including the wrecker rates and zone license fees changes approved by the Commission in April 2004, had been under review by the Finance Department since July. **Chair Cynthia Odle** recognized Mr. Michael McGovern, general counsel to the Davidson County Zone Towing Association. Mr. McGovern expressed concern and disappointment with the slowness of the process, as it continued to adversely affect wrecker companies. He requested a copy of the draft amendment. Metro Legal advisor Jason Bergeron said he would respond to Mr. McGovern's request. Director McQuiston stated that he shared Mr. McGovern's concern, but noted that all issues with Finance had been answered expeditiously, and that the amendment was expected to be filed soon.

Update on Amendment to Taxi Ordinance (Year-round Driver Permit Renewals): Director McQuiston informed Commissioners that Mr. Bergeron had completed drafting an amendment to Chapter 6.72 of the Metro Code of Laws, and that this amendment was also under review by the Finance Department. The amendment, to change from the current September 30 expiration date for all driver permits to a year-round permitting/renewal process, will implement the changes approved by the Commission at the July 27, 2004 meeting. Director McQuiston stated that he had addressed all issues raised by the Finance Department, concerning both budget implications and the implementation process. He noted that the amendment, when approved, will not affect the current year's renewal process, but will immediately enable new applicants to receive a twelve-month initial permit. Over time, it is expected to reduce the peak workload on staff at renewals, and improve enforcement of the requirement for drivers to maintain a current federal Department of Transportation medical card.

Amendment to Taxi Ordinance (Taxi Passenger Bill of Rights): Director McQuiston provided Commissioners with copies of an ordinance (BL2004-351) amending Chapter 6.72 of the Metro Code of Laws, approved on October 20, 2004. This ordinance, introduced by Metro Councilman Adam Dread in September, incorporates the “Bill of Rights for the Passenger” from the Commission Rules and Procedures, with some changes, into the taxi ordinance. He told Commissioners that the Convention and Visitors Bureau will purchase and provide the signage/display means required by the amendment. There was some discussion about enforcement, especially if a complaint was received from an out-of-town visitor. **Chair Cynthia Odle** questioned whether it would be possible to take statements by conference call or speaker phone at future Commission disciplinary hearings.

Update on 2004 Taxi Driver Renewal Process: Director McQuiston provided the Commission with an update on annual taxi driver renewals. Because of the new state law requiring fingerprint-based background checks for all drivers, this year’s process is requiring approximately four months to complete. As of October 25, 305 drivers had been issued their annual permits, while 190 were still operating with temporary permits, pending results. FBI results on some drivers may not be received until December. He told the Commissioners that he would include a request for clarification or modification of the state law, T.C.A. 6-54-128, in the department’s submission for state legislative issues to be addressed in the mayor’s annual legislative package. The purpose of the clarification/modification will be to avoid requiring all drivers to be re-printed every year.

There being no further business, the meeting was adjourned.

ATTEST:

APPROVED:

Brian E. McQuiston
Director-Executive Secretary

Cynthia M. Odle
Chair